



# Serious Crime Act 2007

## 2007 CHAPTER 27

### PART 4

#### GENERAL AND FINAL PROVISIONS

##### *General*

#### **89 Orders**

- (1) Any power of the Secretary of State, the Treasury or the Scottish Ministers to make an order under this Act is exercisable by statutory instrument.
- (2) Any power of the Secretary of State or the Treasury to make an order under this Act—
  - (a) may be exercised so as to make different provision for different cases or descriptions of case or different purposes;
  - (b) includes power to make such supplementary, incidental, consequential, transitional, transitory or saving provision as the Secretary of State or (as the case may be) the Treasury considers appropriate.
- (3) No order is to be made under section 4(4), 49(6), 63(3), 69 or 90, or paragraph 102 of Schedule 8, unless a draft of the order has been laid before, and approved by a resolution of, each House of Parliament.
- (4) Subsection (3) does not apply to an order under section 90 which does not amend or repeal any provision of an Act.
- (5) An order under section 90 which does not amend or repeal any provision of an Act is subject to annulment in pursuance of a resolution of either House of Parliament.
- (6) An order under section 7, 24(9), 27(6) or (12), 28(6) or (11), 29, 33, 40, 68 or 85 is subject to annulment in pursuance of a resolution of either House of Parliament.

*Status: Point in time view as at 15/02/2008.*

*Changes to legislation: There are currently no known outstanding effects for the Serious Crime Act 2007, Part 4. (See end of Document for details)*

## 90 Supplementary, incidental and consequential provision

- (1) The Secretary of State may by order make such supplementary, incidental or consequential provision as he considers appropriate for the general purposes, or any particular purpose, of this Act or in consequence of any provision made by or under this Act or for giving full effect to this Act or any such provision.
- (2) The power conferred by this section may, in particular, be exercised by amending, repealing, revoking or otherwise modifying any provision made by or under an enactment (including this Act and any Act passed in the same Session as this Act).
- (3) The power conferred by this section does not include the power to make provision which would be within the legislative competence of the Scottish Parliament if it were included in an Act of that Parliament.

## 91 Transitional and transitory provisions and savings

- (1) Schedule 13 (transitional and transitory provisions and savings) has effect.
- (2) The Secretary of State may by order make such transitional, transitory or saving provision as he considers appropriate in connection with the coming into force of any provision of this Act (other than the provisions specified in section 94(4)).
- (3) The Scottish Ministers may by order make such transitional, transitory or saving provision as they consider appropriate in connection with the coming into force of the provisions of this Act specified in section 94(4).

### Commencement Information

**II** S. 91 partly in force; s. 91(2)(3) in force at Royal Assent see s. 94(1)

## 92 Repeals and revocations

Schedule 14 (which contains repeals and revocations) has effect.

### Commencement Information

**I2** S. 92 in force at 15.2.2008 by S.I. 2008/219, art. 2(c)

*Final*

## 93 Extent

- (1) The following provisions extend to England and Wales only—
  - (a) section 78(1) and (2);
  - (b) section 82(1) and (2);
  - (c) section 87; and
  - (d) Parts 1 and 2 of Schedule 7 and section 73 so far as relating to those Parts.
- (2) The following provisions extend to England and Wales and Northern Ireland only—

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- (a) Part 1 (including Schedules 1 and 2) but excluding sections 25 to 29 (and any provision of that Part so far as relating to those sections) and paragraphs 10, 11 and 19 of Schedule 2;
  - (b) Part 2 (including Schedules 3 and 4 and Part 1 of Schedule 6) but excluding sections 60 and 61, Schedule 5 and Part 2 of Schedule 6;
  - (c) section 75(2) and (3);
  - (d) section 76(1) to (3);
  - (e) section 80;
  - (f) section 81(2); and
  - (g) section 83(1) and (2).
- (3) The following provisions extend to Scotland only—
- (a) section 68(5) and (6);
  - (b) section 69(3);
  - (c) section 71(4);
  - (d) section 75(4) and (5);
  - (e) section 76(4) to (6); and
  - (f) section 86.
- (4) The following provisions extend to Northern Ireland only—
- (a) section 78(3) and (4);
  - (b) section 82(3) and (4); and
  - (c) Part 3 of Schedule 7 and section 73 so far as relating to that Part.
- (5) Any provision of section 61 or Part 2 of Schedule 6 (and any corresponding entry in Schedule 14) has the same extent as the enactment amended, repealed or revoked by it except that—
- (a) it does not extend to Scotland; and
  - (b) paragraph 53 of Schedule 6 does not extend to Northern Ireland.
- (6) Any amendment, repeal or revocation by Schedule 5, 8, 10 or 14 of an enactment has (subject to subsection (5)) the same extent as the enactment amended, repealed or revoked.
- (7) Subject as above, this Act extends to England and Wales, Scotland and Northern Ireland.

## **94 Commencement**

- (1) The preceding provisions of this Act (other than sections 89, 90, 91(2) and (3) and 93 and the provisions specified in subsection (4) but, subject to this, including the Schedules) come into force on such day as the Secretary of State may by order appoint; and different days may be appointed for different purposes.
- (2) The Secretary of State must consult the Scottish Ministers before making an order under subsection (1) in relation to—
  - (a) section 75(1);
  - (b) paragraph 2 of Schedule 10; or
  - (c) paragraph 24 of that Schedule.

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- (3) The provisions of this Act specified in subsection (4) come into force on such day as the Scottish Ministers may by order appoint; and different days may be appointed for different purposes.
- (4) Those provisions are—
- (a) section 75(4) and (5);
  - (b) section 76(4) to (6);
  - (c) section 86;
  - (d) paragraphs 14 to 23 and, so far as extending to Scotland, paragraph 25 of Schedule 10; and
  - (e) so far as relating to the provisions falling within paragraph (d) above, paragraph 1 of that Schedule and section 77.

**95 Short title**

This Act may be cited as the Serious Crime Act 2007.

**Status:**

Point in time view as at 15/02/2008.

**Changes to legislation:**

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